

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ARA HARDY, on behalf of herself and
all others similarly situated,

Plaintiffs,

v.

MINNESOTA LIFE INSURANCE,
COMPANY, (f/k/a Minnesota Mutual Life
Insurance Company),

Defendants.

) CASE NO. 1:08 CV 2714

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) JUDGE DONALD C. NUGENT

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) ORDER

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For the reasons stated in the Memorandum Opinion filed contemporaneously herewith,
Minnesota Life's Motion to Dismiss the First Amended Complaint is hereby DENIED IN PART
and GRANTED IN PART. The Motion to Dismiss is denied as to Ms. Hardy's breach of
contract claim. The Motion to Dismiss is granted as to Ms. Hardy's unjust enrichment claim.



DONALD C. NUGENT
United States District Judge

DATED: June 25, 2009